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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,253	12/15/2003	Alexander G. Avganim	P/4222-8	5820
2352	7590	12/09/2005	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			GALL, LLOYD A	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/737,253	Applicant(s) AVGANIM, ALEXANDER G.	
	Examiner Lloyd A. Gall	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's election without traverse of Group I, claims 1-9 in the reply filed on September 21, 2005 is acknowledged.

Claim 10 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on September 21, 2005.

The disclosure is objected to because of the following informalities: In the amendment to the specification filed on June 20, 2005, in the amendment to the paragraph on page 13, line 10, the second line thereof, reference numeral "906" should read --954--. In the same amendments to the specification, on the page 4 thereof, the second listed replacement paragraph of page 13, line 25 should clarify that this is actually the paragraph beginning on page 13, line 30.

Appropriate correction is required.

Claim 5 is objected to because of the following informalities: In claim 5, line 7, "small" should read --smaller--. Appropriate correction is required.

The previous double patenting rejection is withdrawn.

It is noted that with respect to the prior art rejections which follow, that a "laptop" is not being positively claimed, and that the prior art references relied on in the rejections are capable of functioning with a laptop, such as by being attached thereto, if desired.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Monaco.

Monaco teaches a lock assembly 10 capable of use with a laptop, including a lock body 14 having a locking portion defined by the periphery of slots 34, a cable plug 12 slidable in the lock body and including an arm which overlies the rightmost cable 80 as seen in fig. 13, and a lock (padlock 40) to define locked and unlocked states and an enclosed area for the cables 80 as seen in fig. 13. With respect to claim 1, line 6, a cable or cable portion 80 is attached to the plug 12. With respect to claim 2, the lock body includes a first lock body (the portion of 14 above the grips 32 and a second lock body below the grips 32) to receive the padlock. With respect to claim 3, an arm is formed between the slots 34 of the lock body to cooperate with the arm of the cable plug. With respect to claims 7-9, a cable 80 is used in fig. 9, including a looped portion 82 which is capable of being attached to a solid support, and a cable box directly above the loop 82 in fig. 9.

Claims 1-4 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by McFarland.

McFarland teaches a lock assembly capable of use with a laptop, such as by being attached to a laptop, including a lock body defined by first 25 and second 2 lock bodies, a cable plug 1, 13 having an arm (curved arch portion 1) for defining an enclosed area with an arm (the middle portion 25 in fig. 2), and a lock 6. With respect to claim 1, line 6

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and claim 7, cables are clamped by the lock assembly and attached to the cable plug 1, 13.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over McFarland in view of Monaco.

Monaco teaches a loop portion and cable box as set forth above. It would have been obvious to utilize a cable with a loop portion and cable box with the lock assembly of McFarland, in view of the teaching of Monaco, the motivation being to keep all cables organized and in a compact assembly.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galant in view of Vezina et al.

Galant teaches a lock assembly capable of use with a laptop, including a lock body, the lock body 18 as seen in fig. 1 including a first upper flat lock body to define an arm to receive the cable plug 14 therein and a curved second lock body to receive a key-operated lock 272 and detent 270 therein, the cable plug 14 including an arm 32, 36 in fig. 1 which functions with the flat upper arm of the lock body 18 to define an enclosed area to clamp a laptop therebetween, wherein the cable plug 14 includes a head 44, a first collar 42 having an outside diameter smaller than the head, an unlabeled stem below the first collar, a second collar 42 below the first stem, and a second unlabeled,

smaller diameter stem below the second collar. With respect to claim 1, line 6, Galant does not teach a cable attached to the cable plug. Vezina teaches a lock assembly 2, 3, 4 capable of use with a laptop, including a cable 99 (see column 6, line 56, column 10, line 64 and column 14, lines 39-43) attached to all of the lock assembly portions. It would have been obvious to modify the cable plug 14 of Galant to include a cable attached thereto, in view of the teaching of Vezina et al, the motivation being to lock the laptop to a fixed structure, to prevent theft of the laptop, as is well known in the lock art.

Applicant's arguments filed June 20, 2005 have been fully considered but they are not persuasive. In response to applicant's remarks, as is set forth in the first Office action and this action, a laptop is not being positively claimed, and all of the references relied on in the above rejections are capable of use with a laptop. Further, the Galant reference clearly teaches use with a laptop. Further, in view of the amendment to claim 1, line 6, the Vezina reference has also been applied with the Galant reference.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

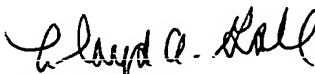
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
December 07, 2005


Lloyd A. Gall
Primary Examiner